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PLEASE REPLY TO ROSELAND

June 8, 2000

Muthu Sundram, Esq.  
Assistant Regional Counsel  
Office of Regional Counsel  
US Environmental Protection Agency - Region II  
290 Broadway, 17<sup>th</sup> Floor  
New York, NY 10007

**Re: LCP Chemical Site, Linden, New Jersey/  
Active Water Jet**

Dear Mr. Sundram:

This letter is a formal request on behalf of ISP Environmental Services ("ISP") for the USEPA to order Active Water Jet to vacate its facility located in the middle of the LCP Chemical Superfund site.

As you are aware, Active Water Jet is an industrial and environmental pipe cleaning company. As the former owner of the property, the Hanlin Group has abandoned the property, Active Water Jet's status is that of a squatter as it has no legal right to be on the premises. ISP bases its request that USEPA order Active Water Jet to vacate the property on the following:

1. The Active Water Jet's operations at the site are a potential Area of Concern ("AOC") with potential ongoing contamination (advertent or inadvertent) to the environment. The cleaning services they provide is a potential generator of hazardous materials and should not be allowed to reside at the site during a superfund RI/FS.
2. USEPA and NJDEP have requested soil borings and sampling locations in the vicinity of the Active Water Jet operations. We are concerned that Active Water Jet may interfere with the sampling activities.

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Muthu Sundram, Esq.

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3. ISP has assumed responsibility for performing the RI/FS but has no control over site access or site security due to Active Water Jets unlocking of the entry gate and allowing traffic on site. ISP cannot control site dumping, site trespassers and vandalism or sabotage of sampling points and monitoring wells while Active Water Jet is on the site. ISP personnel has observed contamination (advertent or inadvertent) ongoing on the site by Active Water Jet or perhaps by others. As you know, the site is isolated and a prime location for illegal dumping as long as the gate is open. Were Active Water Jet evicted, the gate would remain locked making trespassing more difficult.
4. Our biggest concern falls in the area of health and safety. ISP has no mechanism by which to require Active Water Jet to comply with the site-specific health and safety plan (HASP). At a minimum, the presence of Active Water Jet personnel could impact the OSHA required site control measures and emergency response plan such as the emergency excavation. In addition, some aspects of the site may require upgrades to level C personal protective equipment. ISP has no control over Active Water Jet with regard to OSHA compliance. ISP, URS or other environmental consultants cannot supervise Active Water Jet with regard to health and safety issues.
5. Site investigation activities may be delayed because of the legal insurance and liability issues between ISP, URS and Active Water Jet. There is a possibility of Active Water Jet getting into an investigation related accident.

The contaminants on the site pose a risk to human health and safety, yet Active Water Jet human receptors conduct day to day operations at the site. ISP strongly believes that this situation should not be allowed to continue and asks the USEPA to secure the removal of the Active Water Jet's operations from the subject site.

Very truly yours,

  
SHARON L. WEINER

SLW:jmc

Cc: Carrie McGowan

Walter Galacki

Peter Naumoff, URS Greiner